

E-FILED on 9/29/06

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

DANIEL BROTHERS, et al.,

Plaintiff,

v.

OLIN CORPORATION, et al.,

Defendants.

No. C-03-04038 RMW

ORDER DISMISSING CASE

On September 12, 2004 this court issued an order granting plaintiff's motion to amend and correct summons, and specified that plaintiff was to file the amended document. Plaintiff has not done so. Plaintiff has not filed anything in this action since September 12, 2004. On September 15, 2006 this court issued an order requiring plaintiff to show cause by written declaration filed by September 28, 2006 why the matter should not be dismissed for failure to prosecute. Plaintiff failed to do so. Therefore,

IT IS HEREBY ORDERED that this case is dismissed without prejudice for failure to diligently prosecute.

DATED: 9/29/06

RONALD M. WHYTE
United States District Judge

1 Notice of this document has been electronically sent to:

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10 Counsel are responsible for distributing copies of this document to co-counsel that have not
11 registered for e-filing under the court's CM/ECF program.

12
13 **Dated:** 9/29/06

SPT
Chambers of Judge Whyte